

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55479 of 2023**

Arising Out of PS. Case No.-136 Year-2022 Thana- MAHILA P.S. District- Patna

Ankit Tiwari @ Golu Tiwari @ Golu S/O- Shivji Tiwari R/o Village- Nenua  
P.O- Dumraon P.S- Dumraon Dist-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunit Kumar Srivastava,Advocate

For the Opposite Party/s : Mr.Shailendra Kumar,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      08-11-2023                      Heard Mr.Sunit Kumar Srivastava, learned counsel  
for the petitioner and Mr.Shailendra Kumar, learned Additional  
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mahila P.S.Case No.136 of 2022, FIR dated 05.11.2022 registered for the offences punishable under Section 376 of IPC and Section 4 of the POCSO Act.

3. Allegation against the petitioner is that he seduced the victim and established sexual relation with her in pretext of marriage.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed



any offence as alleged in the FIR. Further submits that the victim was recovered and her statement under Section 164 Cr.P.C. was recorded in which she has not supported the case of the prosecution.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI-cum-Special Court, POCSO, Patna in connection with Mahila P.S.Case No.136 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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